

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DWAYNE KEITH MOBLEY,

Plaintiff,

-against-

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, Office
of Civil Right,

Defendant.

20-CV-1418 (CM)

ORDER OF DISMISSAL
UNDER 28 U.S.C. § 1651

COLLEEN McMAHON, Chief United States District Judge:

On October 21, 2014, Plaintiff was barred from filing any new action *in forma pauperis* (IFP) without first obtaining from the Court leave to file. *See Mobley v. United States*, No. 14-CV-7885 (LAP) (S.D.N.Y. Oct. 21, 2014). Plaintiff files this new *pro se* case, seeks IFP status, and has not sought permission from the Court to file this action.¹ This action is therefore dismissed without prejudice for Plaintiff's failure to comply with the October 21, 2014 order.

The Clerk of Court is directed to assign this matter to my docket, mail a copy of this order to Plaintiff, and note service on the docket. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: February 20, 2020
New York, New York



COLLEEN McMAHON
Chief United States District Judge

¹ Even if Plaintiff had requested permission, this complaint does not represent a departure from Plaintiff's prior pattern of non-meritorious litigation.